

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

GEORGE CHESNEY, *et al.*,) No. 3:09-CV-09
v.) (VARLAN/GUYTON)
TENNESSEE VALLEY AUTHORITY,)

JOT RAYMOND, *et al.*,) No. 3:09-CV-48
v.) (VARLAN/GUYTON)
TENNESSEE VALLEY AUTHORITY,)

ANITA AUCHARD, *et al.*,) No. 3:09-CV-54
v.) (VARLAN/GUYTON)
TENNESSEE VALLEY AUTHORITY,)

LEE SCOFIELD, *et al.*,) No. 3:09-CV-64
v.) (VARLAN/GUYTON)
TENNESSEE VALLEY AUTHORITY,)

JAMES CAMPBELL, *et al.*,) No. 3:09-CV-517
v.) (VARLAN/GUYTON)
TENNESSEE VALLEY AUTHORITY,)

ORDER

These civil actions are before the Court pursuant to 28 U.S.C. § 636, the Rules of this Court, and by the referral of the Honorable Thomas A. Varlan, United States District Judge, for disposition of matters relating to discovery. Now before the Court is the Motion to Exclude the Proposed Expert Testimony of Pamela Cohen and to Conduct a *Daubert* Hearing, filed by the Tennessee Valley Authority (“TVA”).

The Court held a hearing on July 14, 2011, to take up this motion and various other motions containing expert challenges. On July 19, 2011, the Plaintiffs filed a Motion to Consider TVA’s

Daubert Challenge Regarding Pamela Cohen as Moot. In this motion, the Plaintiffs stated that they had withdrawn Dr. Cohen as an expert. The Plaintiffs attached a letter to counsel for the Defendant in which they represent that Dr. Cohen will not be called to testify as an expert in these cases.

Based on the foregoing, the Court finds that the Motion to Consider TVA's *Daubert* Challenge Regarding Pamela Cohen as Moot is well-taken, and it is **GRANTED**.¹ The Motion to Exclude the Proposed Expert Testimony of Pamela Cohen and to Conduct a *Daubert* Hearing is now moot, and it is **DENIED AS MOOT**.²

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge

¹Doc. 396 in 3:09-CV-09, Doc. 249 in 3:09-CV-48, Doc. 507 in 3:09-CV-54, and Doc. 252 in 3:09-CV-64.

²Doc. 362 in 3:09-CV-09, Doc. 218 in 3:09-CV-48, Doc. 471 in 3:09-CV-54, Doc. 222 in 3:09-CV-64, and Doc. 118 in 3:09-CV-517.